

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

IN RE: ANDREA VIKTORIA JONES,

Debtor.

Case No. 11-32048-KRH  
Chapter 13

UNION FIRST MARKET BANK,  
successor to  
MORTGAGE CAPITAL INVESTORS, INC.,

Movant,

v.

ANDREA VIKTORIA JONES,  
GARY L. JONES, and  
CARL M. BATES, TRUSTEE,

Respondents.

**ORDER GRANTING RELIEF FROM STAY AND RELIEF FROM CO-DEBTOR STAY**

Upon consideration of the motion of Union First Market Bank, successor to Mortgage Capital Investors, Inc., to modify the automatic stay; it is

ORDERED that the automatic stay imposed by 11 U.S.C. § 362 is modified to permit the movant and its successors and assigns to enforce the lien of its deed of trust as it pertains to the real property located at 16255 Wolf Creek Road, Montpelier, Virginia 23192, and is more particularly described as follows:

ALL that certain lot, piece or parcel of land with improvements thereon and appurtenances thereunto belonging, lying and being in South Anna District, Hanover County, Virginia, known as Lot 3, Section II, Spring Grove, containing 10.9 acres, more or less, as shown on a plat prepared by Robert L. Downing, C.L.S., dated September 3, 1975, recorded in Subdivision Plat Book 4, pages 6 through 7D, Clerk's Office, Circuit Court, Hanover County, Virginia, to which plat reference is hereby made for a more particular description.

BEING the same real estate conveyed to Gary Lee Jones and Andrea V. Jones, as

tenants by the entirety with the right of survivorship as at common law, by deed from Gary Lee Jones and Andrea V. Novakovic, now known as Andrea V. Jones, dated September 23, 2002, recorded immediately prior hereto in the Clerk's Office, Circuit Court, Hanover County, Virginia.

which relief shall extend to the purchaser at the foreclosure sale to allow the purchaser to take such action under state law, as may be necessary, to obtain possession of the property.

IT IS FURTHER ORDERED that the automatic stay imposed by 11 U.S.C. § 1301 is modified to permit the movant and its successors and assigns to enforce its rights under the relevant loan documents and under state law against the co-debtor, Gary L. Jones.

ENTERED: \_\_\_\_\_

UNITED STATES BANKRUPTCY COURT JUDGE

Order submitted by:

/s/ Kimberly A. Pierro

**KUTAK ROCK LLP**

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Kimberly A. Pierro (VSB # 71362)

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*Counsel to Union First Market Bank, successor*

Copy to:

Debtor:

Andrea Viktoria Jones

P.O. Box 336

Montpelier, VA 23192

Counsel for Debtor:

Roger C. Hurwitz, Esq.

The Debt Law Group, PLLC

Box 10

4036 Plank Road

Fredericksburg, VA 22407

Chapter 13 Trustee:

Carl M. Bates, Trustee  
P.O. Box 1819  
Richmond, VA 23218-1780

United States Trustee

Robert B. Van Arsdale, Esq.  
United States Courthouse  
701 East Broad Street, Suite 4304  
Richmond, VA 23219

Gary L. Jones  
16255 Wolf Creek Road  
Montpelier, Virginia 23192

**CERTIFICATION**

The undersigned certifies that the forgoing Order Granting Relief from Stay is identical to the form order required by Administrative Order 10-2 and that no modifications, additions, or deletions have been made, with the exception of language granting relief as to the co-debtor.

\_\_\_\_\_  
/s/ Kimberly A. Pierro  
Attorney for Movant

**CERTIFICATE OF SERVICE**

I hereby certify under penalty of perjury that on April 24, 2012, a true and correct copy of the foregoing was served to all necessary parties by first-class mail as follows:

Debtor:

Andrea Viktoria Jones  
P.O. Box 336  
Montpelier, VA 23192

Counsel for Debtor:

Roger C. Hurwitz, Esq.  
The Debt Law Group, PLLC  
Box 10  
4036 Plank Road  
Fredericksburg, VA 22407

Chapter 13 Trustee:

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Gary L. Jones  
16255 Wolf Creek Road  
Montpelier, Virginia 23192

/s/ Kimberly A. Pierro  
Counsel